

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

David A. Dinsmoor;

Mark A. Christopherson

Confirmation No.

3624

Serial No.:

10/813,307

Filed:

March 30, 2004

Customer No.:

28863

Examiner:

Andrew M. Gilbert

Group Art Unit:

3767

Docket No.:

1023-357US01

Title:

CONTROLLED DETACHMENT OF INTRA-LUMINAL MEDICAL

**DEVICE** 

## TERMINAL DISCLAIMER

Commissioner for Patents Alexandria, VA 22313-1450

Dear Sir:

The owner of record of a 100 percent interest in the above-identified application, Medtronic, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the term of prior U.S. Patent No. 6,689,056. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims

cancelled by a reexamination certification, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Date:

SHUMAKER & SIEFFERT, P.A.

1625 Radio Drive, Suite 300 Woodbury, Minnesota 55125 Telephone: 651.283.8361

Telephone: 651.283.8361 Facsimile: 651.735.1102 Ву

Name: H. Sanders Gwin, Jr.

Reg. No.: 33,242